

Message Text

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ACTION IO-14

INFO OCT-01 EUR-25 NEA-10 ISO-00 CIAE-00 DODE-00 NSAE-00

NSCE-00 SSO-00 USIE-00 INRE-00 PM-07 H-03 INR-10 L-03

NSC-10 PA-04 RSC-01 PRS-01 SPC-03 SS-20 SAM-01 AF-10

ARA-16 EA-11 DRC-01 ACDA-19 /170 W

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FM USMISSION USUN NEWYORK

TO SECSTATE WASHDC IMMEDIATE 2869

INFO AMEMBASSY TEHRAN IMMEDIATE

AMEMBASSY LONDON

AMEMBASSY PARIS

AMEMBASSY BEIRUT

C O N F I D E N T I A L USUN 654

ZFF-6 TEHRAN ONLY

BEIRUT POUCH BAGHDAD

E.O. 11652: GDS

TAGS: PFOR, UNSC, IR, IZ

SUBJ: IRAQI COMPLAINT IN SC

1. SC PRES (FRANCE) HAS DRAFTED CONSENSUS STATEMENT (TEXT SEPTTEL) WHICH IRANIAN AND IRAQI REPS HAVE AGREED TO REFER TO THEIR CAPITALS. AMB SHIBIB OF IRAQ HAS ACCEPTED TEXT AD REFERENDUM, WHILE AMB HOVEYDA HAS, AS BEST WE CAN DETERMINE, TRANSMITTED TEXT TO TEHRAN WITH LIST OF RESERVATIONS. FRENCH, INCIDENTALLY, ARE UNDER IMPRESSION BOTH IRAN AND IRAQ HAVE AGREED TO DRAFTS, SUBJECT TO CONFIRMATION BY THEIR GOVTS.

2. IRANIANS HAVE FOLLOWING DIFFICULTIES WITH FRENCH DRAFT:

(A) REFERENCE TO POSSIBILITY OF ENDANGERING PEACE AND STABILITY IN REGION SEEMS TO THEM TO BE OPENING FOR IRAQ TO SEIZE SC OF DISPUTE OVER LONG TERM UNDER ARTICLE 33;

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(B) FORMULA RE FULFILLMENT OF OBLIGATIONS UNDER INTERNATIONAL

LAW IS UNSATISFACTORY AS BEING TOO CLOSE TO IRAQI INSISTENCE ON REFERENCE TO INTERNATIONAL AGREEMENTS; AND (C) MANDATE OF SPECIAL REP INCLUDES INVESTIGATION OF "EVENTS THAT HAVE GIVEN RISE" TO IRAQ'S COMPLAINT AND IS THEREFORE TOO BROAD.

3. IRAN'S OBJECTIONS APPEAR ON THEIR FACE OVERLY LEGALISTIC, BUT THEY COULD BE PART OF IRANIAN BARGAINING TACTICS. ALSO, AUSTRALIAN DRAFT (SEPTTEL) IS BEGINNING TO LOOK ATTRACTIVE TO IRANIANS. HOVEYDA TOLD AMB BENNETT THAT HE "DIDN'T MIND" AUSTRALIAN DRAFT, AND TERMED IT THE BEST OF THE LOT. CERTAINLY, IT IS TILTED MORE TOWARD IRAN THAN LATEST FRENCH VERSION. WE WILL BE EXPLORING TOMORROW POSSIBILITY OF REVERTING TO AUSTRALIAN DRAFT.

4. IT WILL BE NOTED THAT FRENCH DRAFT DOES NOT ASK SYG TO CONSULT WITH SC PRES OR PARTIES CONCERNED. SC PRES GUIRINGAUD TOLD AMB BENNETT THAT USSR PERMREP MALIK "AND POSSIBLY PARIS" WILL OBJECT TO THIS FORMULATION. HOWEVER, HE PERSONALLY BELIEVED THERE WAS NO PRECEDENT FOR CONSULTATIONS WITH BOTH SC PRES AND PARTIES. IF US WOULD STAND FIRM (AND BENNETT ASSURED HIM WE WOULD,) GUIRINGAUD SAID HE WOULD SERVE AS INTERMEDIARY BETWEEN US AND USSR.

5. COMMENT: IT IS POSSIBLE IRAQ WOULD BE WILLING TO POSTPONE FOR ANOTHER DAY OR TWO MEETING IT HAS REQUESTED FOR AFTERNOON FEB 27 IF IRAN SHOWS INTEREST IN AN ACCOMMODATION. IF IRAN DOES NOT, IRAQ MAY TABLE RESOLUTION ALONG LINES OF NEW FRENCH CONSENSUS, ALTERED IF NECESSARY TO RECEIVE ENOUGH VOTES TO PASS. IRAQ WOULD HAVE ONE DIFFICULT HURDLE TO OVERCOME: MOST MEMBERS, AND NON-PERMS IN PARTICULAR, MUCH PREFER CONSENSUS TO RESOLUTION. AT SAME TIME, SC MEMBERS WOULD BE SYMPATHETIC TO RESOLUTION ALONG LINES OF FRENCH DRAFT SINCE IT REPRESENTS EFFORT TO BE AS NEUTRAL AS POSSIBLE.

6. IRANIAN MISSION HAS ALREADY ASKED US UNOFFICIALLY IF USG WOULD BE WILLING TO VETO NEUTRAL RESOLUTION THAT WAS UNACCEPTABLE TO IRAN. WE SAID WE HAD NO INSTRUCTIONS. WE CONTINUE BELIEVE IT IMPORTANT THAT US DO EVERYTHING
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POSSIBLE TO AVOID SITUATION IN WHICH IT IS REQUESTED TO VETO REASONABLE RESOLUTION THAT ATTEMPTS TO MEET INTERESTS OF BOTH PARTIES.
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